

## **Residence Lien Recovery Fund Advisory Board Meeting Minutes September 14, 2005**

<b>Program Present:</b>	Program Coordinator Rich Oborn Claims Examiner Karen Elkins-Bey AAG Tony Patterson Regulatory & Compliance Officer Ray Walker Director Craig Jackson Bureau Manager Dan S. Jones Board Secretary Ann Naegelin Auditor Dave Taylor
<b>Board Present:</b>	Chairman Allen Nielson Bob Burton Joanne Martin Merlin Taylor
<b>Board Absent:</b>	Karyn Erickson Jorge Dennis James Havell
<b>Guests:</b>	Jim Pemberton, Timberlane Construction Jason Brown, Timberlane Construction Philip Palmer, Homeowner Richard Nemelka, Attorney for Valentin and Olga Subbotin Olga and Valentin Subbotin, Homeowner Brian and Clara Starkey, Homeowner Mark Stephensen, Red Mountain Builders Kent Meade, Attorney for Tracy Gallo Jay Caldwell, Homeowner
<b>Board Business:</b>	
<b>Meeting Called to Order</b>	The meeting was called to order at 8:20 am.
<b>Approval of Minutes</b>	Mr. Burton made a motion to approve the August minutes as amended. Mr. Taylor seconded the motion. Vote was unanimous.
<b>State Construction Registry Update</b>	Mr. Oborn updated the Board regarding the State Construction Registry. Information will be mailed to LRF members in the very near future. There will be training on September 29, Heber Wells Building, North Conference Room, 3-5.
<b>Uncontested Applications for Certificate of Compliance:</b>	Uncontested Applications – Recommended for Approval & <u>No</u> Explanation Required <ol style="list-style-type: none"><li>a. GEOINS001 Kyle &amp; Heather George v Install Tech Co – Karen Ms. Martin made a motion to approve. Mr. Taylor seconded the motion. Vote was unanimous.</li><li>b. RIGAND001 Brad &amp; Kristen Rigby v Ryan Anderson Construction – Rich Ms. Martin made a motion to approve.</li></ol>

Mr. Taylor seconded the motion. Vote was unanimous.

Uncontested Applications - Recommended for Approval & Anticipated Board Member Request for Recusal

- a. BRUCOB001 Melissa Brunner v Cobalt Homes, Inc. – Karen Mr. Nielson and Mr. Burton asked to be recused. There is not a quorum left to vote and the homeowner is not present to waive a quorum. Therefore, the application will be continued until next month.
- b. CARCOB001 Steven Carlsen v Cobalt Homes, Inc. – Rich Mr. Nielson and Mr. Burton asked to be recused. There is not a quorum left to vote and the homeowner is not present to waive a quorum, therefore, the application will be continued until next month.
- c. EDMCOB001 Eli & Jessica Edmonds v Cobalt Homes, Inc.- Karen Mr. Nielson and Mr. Burton asked to be recused. There is not a quorum left to vote and the homeowner is not present to waive a quorum. Therefore, the application will be continued until next month.
- d. SMICOB001 Victor & Lori Smith v Cobalt Homes Inc. – Karen Mr. Nielson and Mr. Burton asked to be recused. There is not a quorum left to vote and the homeowner is not present to waive a quorum. Therefore, the application will be continued until next month.

Uncontested Applications – Recommended for Approval & Explanation Required

- a. CALVIS001 Jay G. Caldwell v Vision, A Design and Build Company, LLC – Karen & Rich Mr. Burton asked to be recused. The homeowner agreed to move forward without a quorum. The homeowner explained the situation and answered questions from the Board members. Mr. Taylor made a motion to approve. Ms. Martin seconded the motion. Vote was unanimous.

Uncontested Applications – No Recommendation & Explanation Required

- a. STAVIS001 Clara & Brian Starkey v Vision, A Design and Build Company, LLC – Karen & Rich Mr. Burton asked to be recused. The homeowner agreed to move forward without a quorum. The homeowner explained the situation and answered questions from the Board members. Mr. Taylor made a motion to approve. Ms. Martin seconded. Vote was unanimous.

**Contested Applications for Certificate of Compliance:**

Contested Application – Recommended for Approval & Explanation Required

- a. GALRED001 Tracy Gallo v Red Mountain Builders – Rich The Board reviewed this claim in July without the homeowner present, but lacked information necessary to make a decision. Mr. Meade, attorney, is representing the homeowner. Mark Stephenson, Red Mountain Builders,

presented information and answered questions from the Board members. Mr. Burton made a motion to approve. Mr. Taylor seconded the motion. Vote was unanimous.

Contested Applications – No Recommendation from Division & Explanation Required

- a. PALTIM001 Philip K. Palmer v Timberlane Construction – Rich & Karen This application was continued from the August meeting. Mr. Oborn reviewed the information submitted by the parties. Philip Palmer, homeowner, was present. Jason Brown, Timberlane Construction, presented his information.

Mr. Walker explained the Board and Division’s roles in issuing the Certificate of Compliance. This is not a formal hearing. Ms. Martin made a motion to deny the application based on the evidence. Mr. Burton seconded the motion. Vote was unanimous.

Contested Applications - Recommended for Denial & Explanation Required

- a. SUBROC001 Valentin & Olga Subbotin v Rock-N-Walls Plus LLC – Rich & Karen Mr. Nielson stated he knows the homeowner’s attorney, but it will not affect his decision. Mr. Nemelka, attorney for homeowner, and Mr. Valentin Subbotin explained the situation and answered questions from the Board members. Mr. Burton made a motion to approve. Ms. Martin seconded the motion. Vote was unanimous.

**Next Meeting  
Adjournment:**

October 12, 2005  
11:20 am

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**Date**

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**Allen Nielson, Chair  
Residence Lien Recovery Fund Advisory Board**

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**Date**

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**Rich Oborn  
Residence Lien Recovery Fund Program Coordinator**